

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON LOCAL GOVERNMENT**

**Call to Order:** Senator Jesse Laslovich, on February 6, 2009 at 3:00 P.M., in Room 303 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. John Esp, Chairman (R)  
Sen. Jeff Essmann, Vice Chairman (R)  
Sen. Gregory D. Barkus (R)  
Sen. Steven Gallus (D)  
Sen. Kim Gillan (D)  
Sen. Verdell Jackson (R)  
Sen. Jesse Laslovich (D)  
Sen. Bruce Tutvedt (R)

**Members Excused:** Sen. Ron Erickson (D)

**Members Absent:** None.

**Staff Present:** Leanne Heisel, Legislative Branch  
Debra Polhemus, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 305, 1/28/2009

Executive Action: None

**HEARING ON SB 305**

**Opening Statement by Sponsor:**

00:01:44 Sen. Bruce Tutvedt (R), SD 3, opened the hearing on SB 305, Revise subdivision and platting act.

**Proponents' Testimony:**

**EXHIBIT(los28a01)**

Several letters of testimony were provided by Sen. Bruce Tutvedt. Letters were from Stacey Dykeman, Missoula; Teresa Polumsky, Corvallis; The Powell Family, Corvallis; Lori Schallenberger, Hamilton; Chris Cobb-Taggart, Hamilton; and, Jerry Hamlin, Helena.

00:05:12 William K. VanCanagan, Attorney, Datsopoulos, MacDonald & Lind, P.C., Missoula, representing Montana Association of Realtors

**EXHIBIT(los28a02)**

**EXHIBIT(los28a03)**

00:25:28 Terry Nelson, Surveyor, Ravalli County

**EXHIBIT(los28a04)**

00:27:46 Jerry Christison, Lewis & Clark County resident

00:29:23 Jason Rice, Co-Owner and Vice President, Territorial Land Works

00:30:40 Jeanette Joost, Stevensville resident

00:32:02 Paul Wilson, Victor resident

**EXHIBIT(los28a05)**

00:33:20 Daniel Cox, Conner resident

00:35:02 Niki Sardot, Florence resident

00:35:27 Alex Beal, Attorney, Datsopoulos, MacDonald & Lind, PC, Missoula

**EXHIBIT(los28a06)**

00:36:19 Nick Kaufman, Missoula attorney

00:36:54 Bill Gallagher, Gallagher and Associates, PLLC, Helena

**EXHIBIT(los28a07)**

00:37:35 Liane Taylor, representing the Helena Association of Realtors

**EXHIBIT(los28a08)**

00:37:42 Michael J. Fasbender, Helena

**EXHIBIT(los28a09)**

00:38:10 Jon Bennion, representing Montana Chamber of Commerce

**Opponents' Testimony:**

00:38:35 Dan Schwarz, Yellowstone County  
00:47:56 John Ostlund, Yellowstone County Commissioner  
00:51:04 Jeff Sealey, representing Montana County Attorneys  
Association and also Lewis & Clark County Attorneys

**EXHIBIT(los28a10)**

00:52:49 Myra L. Shults, Consultant Land Use Attorney for  
Joint Powers Insurance Authority (JPIA)/Montana  
Association of Counties (MACo)

**EXHIBIT(los28a11)**

00:55:19 Tim Davis, representing Montana Smart Growth Coalition

**EXHIBIT(los28a12)**

00:56:26 John MacDonald, representing City of Missoula  
00:57:15 Tim Burton, City Manager, City of Helena  
00:58:27 Greg Chilcott, Executive Committee, MACo, also Valley  
County Commissioner  
00:59:59 Alec Hansen, Montana League of Cities and Towns  
01:01:13 Janet Ellis, Montana Audubon Society  
01:02:35 Anne Hedges, Montana Environmental Information Center  
01:03:26 Sarah Cobler, representing Montana Conservation Voters

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:04:06 Sen. Gillan  
01:05:04 Tim Davis  
01:08:51 Sen. Jackson  
01:10:02 Bill Gallagher, Gallagher and Associates  
01:12:52 Sen. Essmann  
01:13:47 Janet Ellis, Montana Audubon Society  
01:14:40 Sen. Barkus  
01:15:25 William K. VanCanagan, Datsopoulos, MacDonald & Lind  
01:17:25 Sen. Essmann  
01:18:00 William K. VanCanagan  
01:18:58 Sen. Gillan  
01:20:31 William K. VanCanagan

**Closing by Sponsor:**

01:23:02 Sen. Tutvedt

**ADJOURNMENT**

Adjournment: 4:30 P.M.

---

Debra Polhemus, Secretary

dp

Additional Documents:

**EXHIBIT ([los28aad.pdf](#))**